

8.2.11 Waterway corridors overlay code

8.2.11.1 Application

This code applies to assessing material change of use, reconfiguring a lot or operational works development applications for development within waterway corridors or waterway corridor buffer areas identified on the **Waterway corridors overlay maps (OM-013)** contained in Schedule 2 and identified as requiring assessment against the **Waterway corridors overlay code** by the tables of assessment in Part 5.

When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

8.2.11.2 Purpose

- (1) The purpose of the waterway corridors overlay code is to ensure that waterways are protected and enhanced to maintain ecosystem services and hydrological processes and provide aquatic habitat for flora and fauna.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development is appropriately setback from waterways to minimise direct and indirect impacts on water quality and biodiversity;
 - (b) riparian vegetation is protected and enhanced to improve water quality and natural ecosystem function.

8.2.11.3 Assessment benchmarks

Part A - Criteria for accepted and assessable development

Table 8.2.11.1 - Waterway corridors overlay code

Performance outcomes	Acceptable outcomes
For accepted, accepted subject to requirements and assessable development (code, code (fast tracked) and impact)	
<p>PO1 Waterways are protected by:</p> <ol style="list-style-type: none"> (a) maintaining adequate separation distances between waterways and development; (b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement; (c) maintaining bank stability by minimising bank erosion and slumping; (d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and (e) retaining and improving existing riparian vegetation. <p>Note- An Ecological Site Assessment must be prepared in a manner consistent with SC6.2 - Planning Scheme Policy 2 – Ecological Site Assessment Guidelines.</p>	<p>AO1.1 No clearing of native vegetation is undertaken within waterway corridors or waterway corridor buffer areas identified on the Waterway corridors overlay maps (OM-013).</p> <p>Where for Material Change of Use AO1.2 A minimum setback is provided between <i>buildings</i> and <i>structures</i> and the top of the high bank of a waterway corridor as identified on the Waterway corridors overlay maps (OM-013) by a distance not less than identified in Table 8.2.11.2.</p> <p>Where for Reconfiguring a Lot AO1.3 A minimum setback is provided between a new boundary created by <i>reconfiguring a lot</i> and the top of the high bank of a waterway corridor as identified on the Waterway corridors overlay maps (OM-013) by a distance not less than identified in Table 8.2.11.2.</p>

Performance outcomes	Acceptable outcomes
	<p>Where for Operational Works (comprising works for infrastructure or excavating or filling or landscape works)</p> <p>AO1.4 A minimum setback is provided between <i>operational works</i> and the top of the high bank of a waterway corridor as identified on the Waterway corridors overlay maps (OM-013) by a distance not less than identified in Table 8.2.11.2.</p> <p>Note- The “high bank” is to be determined in accordance with SC6.2 - Planning Scheme Policy 2 – Ecological Site Assessment Guidelines.</p>
<p>PO2 Stormwater and wastewater discharges are treated prior to entering a waterway or associated buffer area to ensure the biological integrity of aquatic ecosystems.</p> <p>Note- A performance outcome must be supported by:</p> <p>(a) an Ecological Site Assessment prepared in a manner consistent with SC6.2 - Planning Scheme Policy 2 – Ecological Site Assessment Guidelines; and</p> <p>(b) a Site Based Stormwater Management Plan.</p>	<p>AO2.1 No stormwater is discharged to a waterway or waterway corridor buffer area identified on the Waterway corridors overlay maps (OM-013).</p> <p>AO2.2 No wastewater (treated or untreated) is discharged to a waterway corridor or waterway buffer area identified on the Waterway corridors overlay maps (OM- 013).</p>
<p>PO3 Areas of waterway buffer area identified in accordance with AO1 which are cleared, degraded or disturbed as a consequence of the development are rehabilitated to contribute to the establishment of a functional and connected habitat network having regard to:</p> <p>(a) the use of native plant species of local provenance that support the habitat needs of any rare or threatened species; and</p> <p>(b) replication of the species and structure of adjacent remnant habitats, including understorey vegetation.</p> <p>Note- An Ecological Site Assessment must be prepared in a manner consistent with SC6.3 - Planning Scheme Policy 2 – Ecological Site Assessment Guidelines.</p>	<p>AO3 No acceptable outcome.</p>
<p>PO4 Management arrangements facilitate the ongoing conservation and protection of nature conservation and biodiversity areas within the Urban Area identified on Settlement Pattern Strategic Plan Map 1.</p>	<p>AO4 Waterways identified on Waterway corridors overlay maps (OM-013) and associated buffer areas identified in accordance with AO1 are:</p> <p>(a) dedicated as public open space for purposes consistent with the ecological values and functions of the area where for <i>Reconfiguring a Lot</i>; or</p> <p>(b) included within a voluntary statutory covenant for purposes consistent with the ecological values and functions of the area where for <i>Material Change of Use.</i></p>

Table 8.2.11.2 Waterway corridor setbacks

Waterway stream order	Minimum Setback (m)
Waterway (Stream order 3 or 4)	25
Waterway (Stream order greater than 4)	50